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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/879,698	06/12/2001	Srinivas Gutta	701613	3765

24737 7590 07/26/2005

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

LAI, ANNE VIET NGA

ART UNIT PAPER NUMBER

2636

DATE MAILED: 07/26/2005

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/879,698
Filing Date: June 12, 2001
Appellant(s): GUTTA ET AL.

MAILED
JUL 26 2005
GROUP 2800

Robert M, McDermott, Esq
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 3/20/2005.

(1) Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

The brief does not contain a statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief. Therefore, it is presumed that there are none. The Board, however, may exercise its discretion to require an explicit statement as to the existence of any related appeals and interferences.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

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(7) Grouping of Claims

The rejection of claims 1-21 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

2002005778	Breed et al	5-2000
5680123	Lee	10-1997
6535242	Strumolo et al	10-2000

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

1. Claims 1-3, 8, 10-14, 16 and 17-21 are rejected under 35 U.S.C. 102(e) as being anticipated by **Breed** [US. 2002/005778].

Regarding claims 1-3, **Breed** (figs. 1, 10, 15; paragraphs [0059], [0095], [0121], [0161], [0186], [0187], [0220]) discloses a system to detect, classify, identify and tracking an approaching vehicle including emergency vehicle (fire engine [0059]) from a secondary vehicle comprising:

at least one camera mounted on the secondary vehicle (five video cameras mounted at front, rear, top and two sides, 110-114 in fig. 1, [0161], and 734, 736, 738 in fig. 15, [0225], [0227]) for scanning, capturing frame images and mapping location of the approaching vehicle on a display surface mounted inside the secondary vehicle (video image data "icon image representation of identified vehicle" from the at least one camera is displayed on display surfaces 140, 145 in fig. 11, [0221]);

each camera comprises on chip electronic pan/tilt and zoom control ([0186]-[0187], motors [0169]) for dynamic position tracking and providing enhanced view (high resolution [0121]) of the approaching vehicle (including the emergency vehicle [0059]).

Regarding claim 8, **Breed** ([0095], [0161], 0169], [0186], [0187]) discloses a detecting and tracking means for detecting and tracking an emergency vehicle [0059] displayed on the displayed surface using on chip control pan/tilt and zoom, the vehicle is identified by icon on display (140, 145, fig. 11, [0221]).

Regarding claim 10, **Breed** ([0059], [0095], [0186], [0187]) discloses classification/identification means to classify and identify the emergency vehicle; and tracking means using on chip control pan/tilt and zoom to track the identified emergency vehicle.

Regarding claims 11-13, **Breed** ([0059], [0095], [0186], [0187]) discloses means for alerting a user of the secondary vehicle that an emergency vehicle has been identified in the video image data by displaying icon image representation of the emergency vehicle and orally annunciating the approaching of the emergency vehicle.

Regarding claims 14 and 17, **Breed** (figs. 1, 10, 15; paragraphs [0059], [0095], [0121], [0161], [0169], [0186], [0187], [0220], [0221]) discloses a system to detect, classify, identify, track and display video image data of an approaching vehicle including emergency vehicle (fire engine [0059]) from a secondary vehicle using at least a camera, a display surface mounted inside the secondary vehicle, a classification means, an identification means, and a tracking means.

Regarding claims 16 and 18, **Breed** ([0059], [0095], [0169], [0186], [0187]) discloses the operation of the tracking means is in connection with the on chip control pan/tilt and zoom motor to provide an enhanced view of the tracked vehicle (the emergency vehicle is included).

Regarding claims 19-21, **Breed** ([0059], [0095], [0186], [0187]) discloses means for alerting a user of the secondary vehicle that an emergency vehicle has been identified in the video image data by displaying icon representation of the emergency vehicle and orally annunciating the approaching of the emergency vehicle.

2. Claims 4-6, 9 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Breed** in view of **Lee** [US. 5,680,123].

Regarding claims 4-6, **Lee** (abstract and col. 5, line 62 through col. 6, line 6) teaches the use of plural cameras mounted on various location (sides, rear and front) of a vehicle to monitor approaching vehicles; images captured from cameras are displayed together as a picture-in-picture or a split screen format; selection means including touch screen and on screen menu to provide selection of different viewing

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modes and functions; and the zoom function of the camera is controlled to provide an enhanced view (closer up view) of the selected display.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to implement the display feature of **Lee** in **Breed** vehicle classifying and identification displaying system to provide an added feature and a convenient of use; one touch to a displayed icon representing an emergency vehicle would control the change of the viewing mode and zooming function, therefore enhancing the view of that particular selected vehicle.

3. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Breed** and **Lee** in view of **Strumolo** [US. 6,535,242].

Regarding claim 7, **Breed** and **Lee** camera system does not disclose input spoken command feature. **Strumolo** (abstract; col. 4, lines 19-28, 61-62; col. 5, lines 13-67) utilizes two pair of cameras mounted on a secondary vehicle to provide image recognition and identification approaching objects and vehicles. The control of the cameras comprises a speech recognition and command system for recognizing the spoken command by a user and for controlling at least one of the pan, tilt, and zoom motors of the cameras to enhance the resolution and imaging of remote objects.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to implement the voice command feature of **Strumolo** vehicle recognition and identification system in the **Breed** and **Lee** vehicle classifying and identification system to provide an added feature and a convenient of use in controlling the tilt, pan and zoom of the selected cameras.

(11) Response to Argument

In the brief filed on March 20, 2005, the appellant presents the following arguments to claims:

1. Claims 1-3, 8 and 10-13:

a. Appellant argues (see brief, pages 5-6) that Breed does not teach displaying image data from a camera on a display surface. It is clearly noted in Breed paragraphs [0111], [0112], [0131], [0132] and [0134], a camera system (scanning laser array, focus lenses, CCD imaging and image analyser) scanning images and identifying approaching vehicles (identifying an emergency vehicle in paragraph [0059]), and images obtained from the camera system is displayed on a display mounted inside the vehicle (see paragraph [0132], " a display is provided in the passenger compartment ... for displaying features or representations derived from features"). Breed's figure 1 shows five video cameras 110-114 on the vehicle, and figures 11 and 12 show display panel 145 and head-up display 140 on the instrument panel inside the vehicle.

The U. S. PATENT CLASSIFICATION SYSTEM, CLASS 348 related to TELEVISION defines:

"CAMERA SYSTEM" in Subclass 207.99 as: "System for scanning image of the object or scene, i. e. partitioning the scene into sub-areas of information and generating therefrom an image representative electrical signal"; and

"VIDEO DISPLAY" in subclass 739 as: "Apparatus for converting an image-representative electrical signal (i. e., video signal) of an object or a scene into a visible image of the object or scene".

"The American Heritage Dictionary of the English Language: Fourth Edition, 2000" defines "ICON": A picture image on a screen that represents a specific object".

The system of Breed performs all processing steps for a camera and display system: scanning an object for optical image, converting optical image to video signal, converting the video signal into a visible image. Breed prefers to display a video image of representative form (icon) identifying a particular detected object instead of the video image of actual form of the object, however the icon on display of Breed is still a video image from image data obtained by the camera. Therefore Breed teaches the same as the applicant claimed invention: "a display surface mounted inside an interior of the secondary vehicle for displaying video image data from the at least one camera".

Breed intention in paragraph [0007] indicates his preference to displaying representation derived from features (icon) instead of features of the detected object inside his vehicle (icon, [0221]); however Breed gives open choice for the user in paragraphs [0132] and [0134] with the statement "displaying features or representations derived from features". Since the icon is a video image with data obtained from data scanned by the camera system, the teaching of Breed is the same as the video image data from the camera of the applicant claimed invention.

b. Appellant argues (see brief, pages 5-6) that Breed does not teach a pan, tilt, or zoom motor operative connected to a camera. It is noted in Breed paragraph [0169], the scanning can be accomplished using various systems including mechanical motors to provide two-dimensional scanning to a laser. The laser scanning is part of the camera

system as disclosed in paragraphs [0111]- [0112]; therefore pan, tilt or zoom to bring the detected object in focus is inherent.

c. Appellant argues (see brief, pages 5-6) that Breed does not teach control means for controlling the pan, tilt, or zoom motor. Breed paragraph [0187] teaches microprocessor on chip provides electronic pan/tilt and zoom control. Since mechanical motors can be used for laser scanning, the electronic control is inherent for controlling the pan/tilt or zoom of the motors.

2. Claims 14 and 16:

Appellant argues (see brief, page 7) that Breed teaches against the display of video image data from a camera at paragraph [0007], and specifically teaches the display of icons representing the user's vehicle and surrounding vehicles at paragraph [0221]. Breed intention in paragraph [0007] indicates his preference to displaying representation derived from features (icon, [0221]) instead of features of the detected object inside his vehicle; however in paragraphs [0132] and [0134] Breed gives open choice to the user with the statement " a display is provided in the passenger compartment ... for displaying features or representations derived from features". The display of Breed is mounted inside the vehicle as read in paragraph [0132]. Since icon is a video image with data obtained from data scanned by the camera system, the teaching of Breed is the same as the video image data from the camera of the applicant claimed invention.

3. Claims 17-21:

Appellant argues (see brief, page 7) that Breed teaches against the display of video image data from a camera at paragraph [0007], and specifically teaches the display of icons representing the user's vehicle and surrounding vehicles at paragraph [0221]. Breed intention in paragraph [0007] indicates his preference to displaying representation derived from features (icon) instead of features of the detected object inside his vehicle (icon, [0221]); however in paragraphs [0132] and [0134] Breed gives open choice to the user with the statement " a display is provided in the passenger compartment ... for displaying features or representations derived from features". The display of Breed is mounted inside the vehicle as read in paragraph [0132]. Since icon is a video image with data obtained from data scanned by the camera system, the teaching of Breed is the same as the video image data from the camera of the applicant claimed invention.

4. Claims 4-6 and 9:

Appellant argues (see brief, page 8) that there is no suggestion to combine Breed and Lee for the reason that Lee teaches the display of video image data from cameras on a display in the interior of the user's vehicle and Breed teaches against the presentation of video image data from a camera on a display in the interior of a user's vehicle at paragraph [0007]. As explained in above, Breed intention in paragraph [0007] indicates his preference to displaying representation derived from features (icon, [0221]) instead of features of the detected object inside his vehicle; however in paragraphs [0132] and [0134] Breed gives open choice to the user with the statement " a display is provided in the passenger compartment ... for displaying features or representations

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derived from features". The display of Breed is mounted inside the vehicle as read in paragraph [0132], and icon is a video image on display with video image data obtained from data scanned by the camera system. Both Breed and Lee teach a display surface inside the user's vehicle for displaying video image data from at least one camera. The video image data can be a real feature in Lee or a representation of feature (icon) in Breed obtained from image data provided by the camera system. Since the field of invention is the same i.e., detecting approaching vehicle with display, a sophisticated display control device may be added to Breed to attract potential buyer of the system.

5. Claim 15:

Appellant argues (see brief, page 9) that there is no suggestion to combine Breed and Lee for the reason that Lee teaches the display of video image data from cameras on a display in the interior of the user's vehicle and Breed teaches against the presentation of video image data from a camera on a display in the interior of a user's vehicle at paragraph [0007]. As explained in above, Breed intention in paragraph [0007] indicates his preference to displaying representation derived from features (icon, [0221]) instead of features of the detected object inside his vehicle; however in paragraphs [0132] and [0134] Breed gives open choice to the user with the statement " a display is provided in the passenger compartment ... for displaying features or representations derived from features". The display of Breed is mounted inside the vehicle as read in paragraph [0132], and icon is a video image on display with video image data obtained from data scanned by the camera system. Both Breed and Lee teach a display surface inside the user's vehicle for displaying video image data from at least one camera. The

video image data can be a real feature in Lee or a representation of feature (icon) in Breed obtained from image data provided by the camera system. Since the field of invention is the same i.e., detecting approaching vehicle with display, a sophisticated display control device may be added to Breed as designer choice to attract potential buyer of the system.

6. Claim 7:

Appellant argues (see brief, page 9) that there is no suggestion to combine Breed, Lee and Strumolo for the reason that Lee and Strumolo teach the display of video image data from cameras on a display in the interior of the user's vehicle and Breed teaches against the presentation of video image data from a camera on a display in the interior of a user's vehicle at paragraph [0007]. As explained in above, Breed in paragraph [0007] indicates his preference to displaying representation derived from features (icon, [0221]) instead of features of the detected object inside his vehicle; however in paragraphs [0132] and [0134] Breed gives open choice to the user with the statement " a display is provided in the passenger compartment ... for displaying features or representations derived from features". The display of Breed is mounted inside the vehicle as read in paragraph [0132], and icon is a video image on display with video image data obtained from data scanned by the camera system.

Note that Strumolo also suggests the iconographic (icon) display as an alternative to actual image display, (see column 5, line 65 through column 6, line 11).

The system of Strumolo also teaches the claimed invention with an on vehicle multi-cameras system for detecting and identifying approaching vehicle, touch pad or verbal

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input to select image display from a particular camera and selective control pan, tilt zoom of a particular camera (abstract; col. 4, lines 19-32, 56-65; col. 5, lines 4-42); since the approaching vehicle is identified and the driver is notified (col. 5, lines 43-64), an approaching emergency vehicle can be identified and the driver is notified as well. Since the field of invention is the same, sophisticate speech input command of Strumolo and touch screen, split screen of Lee can be added to Breed as designer choice to attract potential buyer of the system.

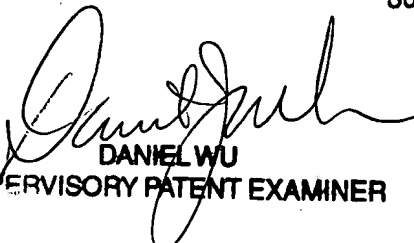
For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

AVL

AVL

July 18, 2005


DANIEL WU
SUPERVISORY PATENT EXAMINER


JEFFERY HOFSSASS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600